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It's Time to Stop Talking, and Start Taking Action about Ethics in the Military

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Whether in business, politics, or entertainment, we are so inundated by scandals; many of us no longer even pay attention. Yet when a breakdown of ethics occurs in the military — in the form of a scandal — we justifiably stand up and take notice. Along with the pride we feel about the dedication and tremendous sacrifice of the men and women of our armed forces, we maintain lofty expectations of their personal character. As Admiral Charles Larson, USN (ret.), said: “There is no feeling of outrage equal to that of a public shocked by scandal when members of the military fall short of the high standards expected of them.” Unfortunately, scandals in the military — at all levels — have been on the rise. Our goal with this article is to explore why this is occurring, and make recommendations for changes that need to be implemented in order to stop unacceptable behavior (Larson, 1998).

Emblematic of this ethical descent is the now well-known — and sordid — behavior of Army General David Petraeus. He was already out of the military when the story broke, but his infidelity destroyed the career and reputation of one of the most capable and respected leaders of our time. His resignation as Director of the CIA in 2012 demonstrated both the personal and public ramifications of scandal. Unfortunately, too many high-ranking officials think success includes being exempt from the rules and regulations that others, including subordinates, must follow.

All the scandals plaguing the military are troubling, embarrassing, and even dangerous, leaving not just blemishes in their wake, but oftentimes lasting scars. Consider allegations of cheating on proficiency examinations and illicit drug use among air force nuclear missile launch officers (ICBM force) and allegations of cheating among naval nuclear propulsion staff. Misappropriation of travel funds, bribery, and the release of classified information in the issuing and execution of naval port contracts across Asia, as well as other forms of unacceptable behavior, have led to several top military officials being relieved of their commands. But the most egregious are those that involve sexual misconduct — one in three military women, some studies show, is raped by either a peer or commanding officer. Needless to say, this is criminal, abhorrent, and must not be tolerated.

In a 2003 article published in the *American Journal of Industrial Medicine* entitled, *Factors Associated with Women's Risk of Rape in the Military Environment*, authors A.G. Sadler, et al. describe a troubling study that concludes with the following: “Given the serious health consequences of rape and sexual violence, consistent rates of rape across eras of service and findings of repeated rapes indicate that violence towards

military women remains a serious public health concern.” Not surprisingly, they also state *“Appropriate officer leadership apparently plays an important role in determining the military environment and safety of women.”* More than ten years later, little has changed even as women take on a larger role in the military (Sadler, et al, 2003).

The disturbing rise in the number of sexual assaults in our society is alarming. As a microcosm of our nation’s population, this trend also puts the morale, unit cohesion, and trust among the ranks of our military fighting forces at risk. Sexual assaults not only present a major ethical and legal challenge for the military — they also weaken our country’s national security by distracting critically required attention from missions, creating dissension, and a loss of faith in our leaders.

Many of us are familiar with increased awareness of assaults being reported on college and university campuses, so we shouldn’t be surprised by its increased incidence in all branches of the military.

To their credit, many people now recognize this growing threat to the values — the demise of ethics and respect — that define our country. The media has accelerated its reporting on this issue in the last few years and should be praised for raising the national consciousness by aggressively publicizing actual cases. Its vigilance has helped to encourage other sexual assault victims to come forward. However, more must be done with regard to the military. In the May 2013 Department of Defense (DOD) study on sexual assault, for example, there were 26,000 cases of sexual assault with 62% of military victims reporting being retaliated against after revealing their particular incidents to their superiors. While such conduct may potentially track the rate of occurrence in our overall society, it is nevertheless inexcusable. We hold the men and woman serving in uniform to a higher standard — no soldier should ever have to worry about being the victim of the unethical or illegal actions of others. And they certainly should not have to worry about retaliation if they step forward (DOD Annual Report on Sexual Assault, 2013).

Historically, aggressive accounting of alleged cases of sexual assault in the military has been seriously lacking. A culture too tolerant of off-duty indiscretions, while focused on overcoming adversity to get the job done, has contributed to the lack of actionable change. The military needs to work with local communities who rely on off-base businesses in order to ensure such businesses do not encourage inappropriate behavior by the soldiers who patronize them. Multiple deployments to Iraq and Afghanistan, during more than a decade of war, have also taken their toll though that is never an acceptable excuse for misconduct or illegal actions, including sexual assault.

The need for heightened information and education, stronger laws, more vigorous enforcement as well as assurances of providing greater safety and justice are essential to reversing the startling increase in sexual assaults. In our view, while female members of the armed forces are the most egregiously affected, this is not exclusively a women’s issue. It is the product of a systemic, deeply-rooted problem that will require an appreciable change in thinking and a major cultural shift.

The vast majority of senior military officers are male. And, unfortunately, there have been numerous instances when they too have been accused or found guilty of committing or condoning sexual assault in their commands. Military justice must be applied evenly

across the ranks. It is incumbent on us as a society to make sure that no one is ever too important or high-ranking to be held accountable for his or her actions. When a leader, regardless of rank, commits a crime including sexual assault, the conduct and resulting punishment must be exposed publicly in order to maintain good order and discipline. Nothing will rot the core of the military faster and more severely than our soldiers, sailors, and air force personnel losing faith in their leaders. When sexual assault allegations are made, they must be investigated immediately and vigorously, and if proven, the punishment should be swift, severe, and public.

In order to discourage this type of behavior among military personnel, we recommend a level of zero tolerance and encourage the military to set up a system that allows victims to file charges without the threat of retribution.

Unsatisfactory Leadership – The Common Denominator

These acts — both lapses in judgment and criminal offenses — suggest a decline in leadership competence and diligence which have resulted not only in embarrassment, but also in loss of life and failed missions. Two Marine generals, for example, were “sacked” in late 2013 for failure to prevent a devastating attack on a NATO base in Afghanistan. And an investigation is currently underway over the March 2014 shooting aboard the USS Mahan in Norfolk.

Even as we seek answers, it is important to remember that every day the vast majority of our armed forces personnel uphold their sworn commitment to duty, honor, and country at home and around the world. They stand ready to meet danger, and even death, in the defense of freedom, and they represent their country as ambassadors of good will. Regrettably, the many have been tarnished by the few, which is why this trend must be reversed — and expeditiously. As is true with all organizations, leadership sets the tenor.

When young men and women join the military, they are often inexperienced and immature. Their leaders are responsible for developing them into disciplined, capable soldiers who know what is expected of them both on and off the battlefield. This requires direction at every level, and does not end with Boot Camp. Unfortunately, some of the very top leaders who are relied upon to set and enforce the standards have shamefully broken them.

Soldiers are trained to kill when necessary, precisely, and without hesitation. They must selectively set aside societal norms once in battle, then immediately reinstate them once the battle has ended. These life-or-death decisions are monumental, especially considering that many soldiers are barely out of high school. There is no other profession that requires this kind of decision-making. The challenges military men and women face every day when it comes to ethics are enormous — and sometimes tragic.

In 2012, a *YouTube* video surfaced showing a group of our military snipers disrespecting the corpses of Taliban fighters whom they had killed. Like the mistreatment of prisoners by American troops in the Abu Ghraib prison in Baghdad, it is not just the repulsiveness of the act that is of concern (Bowley, 2012).

These incidents also caused a serious setback in the battle for the hearts and minds of the local populations. Successes achieved on the battlefield, for which soldiers paid the ultimate price, were erased by these shocking acts. In his excellent article, “Employing

the Seven Army Values to Win Hearts and Minds,” 1st Lt. Jonn Kusch discusses how the seven Army values impact the ability of soldiers to do their job, and win a war where it isn’t always clear who you are fighting. One of his key points is that you need to respect the culture you are immersed in — respect is the only way to ultimately win counterinsurgency wars like those fought in Afghanistan (Kusch, 2011) . If you don’t respect your own men and women, how can you expect them to respect the locals in the countries in which they are serving? Leaders who are involved with, or condone, unethical or illegal behavior must be held responsible, and not be allowed to retire with benefits. Consequences must be certain and visible. If you break the law, you must pay the price.

Effective leaders stay in close contact with their troops, establish a culture of high integrity, genuinely encourage folks to speak up, correct problems quickly, and don’t look the other way when abuses surface. Vigilance is expected of all military personnel because lives and mission are at stake. As stated above, there should be a zero-tolerance policy for leaders who participate in or condone such behavior. We believe that only leaders who demonstrate exceptional behavior should be entitled to retire with benefits because this is the only way to send the message that unacceptable behavior will not be tolerated.

Unfortunately, a sense of entitlement seems to have become prevalent among the ranks of some top military brass. Power combined with bad habits is addictive and if left unchecked will spread like a malignant cancer.

We should not be surprised by these lapses — we should be shocked. As the late Justice Louis D. Brandeis said, “Sunlight is said to be the best of disinfectants; electric light the most efficient policeman.” It’s time to shine a light on these abuses, and demand that they end, once and for all. There are far too many outstanding men and women serving our country who deserve nothing less (Brandeis, 1914).

Our Recommendations

In her address to General Motors employees on June 5, 2014 about the ongoing automobile recall crisis, newly-appointed CEO Mary Barra said the following:

...I first want to take this opportunity to again express my deepest sympathies to the families that lost loved ones and to those who were injured... I realize there are no words of mine that can ease their grief and pain. But as I lead GM through this crisis, I want everyone to know that I am guided by two clear principles: First that we do the right thing for those who were harmed; and, second, that we accept responsibility for our mistakes and commit to doing everything within our power to prevent this problem from ever happening again (Barra, 2014).

It remains to be seen whether Ms. Barra will be successful in fixing the systemic problems or changing the imbedded culture of this enormous corporation, but we are encouraged by the fact that she has at least taken the appropriate first steps. Regrettably, the same cannot be said of the DOD.

The DOD needs to stop worrying about whether its image will be tarnished — that has already happened. Instead, it needs to focus on identifying bad behavior and making those findings public. Openness and transparency are the most important changes that

have to be applied uniformly to all branches of the military. Transparency and accountability are more important today than ever before if we expect the general public to continue to support and respect, let alone trust, military leadership of our volunteer armed forces. Transparency and accountability are essential if we expect to attract and maintain the outstanding military to which we have become accustomed. The DOD should publicize values-based transgressions of high-ranking military personnel and post them on a public website for all to see. No one — and we mean no one — should receive a “get out of jail free” card. We must make an example of those whom we entrust to command when they commit egregious acts, especially when those acts are against subordinate personnel as is often the case with sexual assault in the military. Sanctions imposed at present are ineffective and need to change.

Military officers have always understood that they must be politically savvy, while at the same time professionally apolitical. They must understand that political winds are now blowing strongly from a new direction, from a place that is intolerant of ethical transgressions. Furthermore, with more and more military roles including combat opening to women, and the traditional male-dominated hierarchy rapidly disappearing, old attitudes must also disappear. The military has not done enough in this respect. Clearly, different approaches must be implemented.

Such approaches are available and close at hand. Much of the private sector has well established training in proper workplace behavior that begins the day a new employee arrives, and is refreshed regularly. Transgressions are dealt with promptly. The best organizations are not afraid to terminate employees who break their code of ethics or values. The DOD could learn much from the corporate world and should actively seek out the best HR training programs available. Yes, there are “bad apples” in the private sector, but there are many more good ones that the DOD can emulate. General Electric, P&G, eBay, Cleveland Clinic, and others come to mind.

Finally, Congress must support the DOD’s new sanctions by changing existing laws as required to support new DOD initiatives. While Congressional oversight is appropriate, direct Congressional intrusion is not, but if the DOD doesn’t act swiftly, Congress will try. Senior military officers must be responsible and accountable for following the laws of the land and the policies set by civilian leadership. Being selected for top leadership positions is a privilege, not a right. In the last few years, we have witnessed far too many breaches of professional conduct including some who have taken unprecedented national security risks.

Based on our joint experience, we recommend the following solutions to curb the rise in major ethical lapses. The solutions fall into three categories:

1. Heighten Public Exposure

First, the DOD must do a much better job in making misbehavior public. Transparency and accountability are more important today than ever before if we expect the general public to continue to support and respect, let alone trust, military leadership of our volunteer armed forces. The DOD should publicize values-based transgressions of military personnel, including high-ranking personnel, and post them on a public website that is easy to find and access. We must make an example of those whom we entrust to command when they commit egregious acts. Sanctions imposed at present do not

discourage behavior, and in some ways encourage it. Statements of zero tolerance are fine, but these actions will speak louder than any words possibly could. Public humiliation can help solve this problem.

2. *Alter the Operating Environment*

Second, the DOD must work to transform its culture. For far too long, the military culture has tolerated, or even worse, condoned a culture of impropriety. It is crucial that the numerous excessive benefits accorded to DOD officials and senior officers also be reexamined so lavish meals, unnecessary travel and various forms of entertainment, large staffs/aides, and other inappropriate expenses are reduced to curtail an increased sense of entitlement that has become all too prevalent. Reasonable privileges that recognize rank and accomplishments are one thing, but both the civilian and military leaders of our armed forces must remember that one of the many sacrifices of government service is that it does not offer the same perks commonly found in the private sector. We must respect those who choose to serve but they must also live up to their part of the bargain.

3. *Change the Pertinent Laws*

Lastly, Congress must support the DOD's new sanctions by changing existing laws governing military leadership as required to support new DOD initiatives.

In conclusion, senior military officers are expected to set a very high standard for themselves, their troops, and their nation and when they fail to do so, the penalties levied against them should be severe – and public. Only by shining a light on wrongdoing, can we move ahead. In the last few years, we have witnessed far too many breaches of professional conduct including some who have taken unprecedented, national security risks.

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